

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants:	Kevy et al.	Confirmation No.:	1436
Serial No.:	10/765,694	Group Art Unit:	1657
Filed:	January 27, 2004	Examiner:	Laura J. Schuberg
Title:	AUTOLOGOUS COAGULANT PRODUCED FROM ANTICOAGULATED WHOLE BLOOD		

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Supplemental Response to Office Action**

Dear Ms. Schuberg:

This paper is submitted in support of Applicants' timely filed response of October 15, 2009 to the Office Action mailed on April 15, 2009, in connection with the above-identified U.S. patent application.

Enclosed herewith is a copy of a Declaration Under 37 CFR §1.132 from Robert J. Mandle, Ph.D. in support of applicant's position that the claimed method would not have been obvious in view of McGinnis, nor that there would have been an expectation of success, to substitute whole blood for plasma as the starting material.

Applicants urge that the declaration of Dr. Robert J. Mandle, along with the declaration by Dr. Sherwin Kevy, the Kumar reference, and ThermoGenesis brochure, each already of record in this case, when taken together, establish that at the time of the disclosure by Coelho et al. of a method of extracting thrombin from blood, the skilled artisan would not have thought it feasible let alone advantageous to precipitate plasma proteins without first removing blood cells, i.e. isolating the plasma fraction.

It is respectfully submitted that the above-identified application is now in condition for

allowance and favorable reconsideration and prompt allowance of these claims are respectfully requested. Should the examiner believe that anything further is desirable in order to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney or Kathy Smith Dias, Esq. at the telephone number listed below.

Respectfully submitted,

*Brian Reese*

Brian E. Reese  
Attorney for Applicants  
Reg. No. 64,538

Dated: January 29, 2010

HESLIN ROTHENBERG FARLEY & MESITI P.C.  
5 Columbia Circle  
Albany, New York 12205  
Telephone: (518) 452-5600  
Facsimile: (518) 452-5579